

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

AURELIUS CAPITAL MASTER, *et al.*,

Plaintiffs,

-v-

MBIA INSURANCE CORPORATION, *et al.*,

Defendants.

USDS SDNY  
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No. 09 Civ. 2242 (RJS)  
ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of a pre-motion letter from Defendants dated January 12, 2011, requesting a pre-motion conference in anticipation of filing a motion for judgment on the pleadings or a motion for summary judgment based on the recent decision of the New York Appellate Division, First Department, in *ABN Amro Bank, N.V. v. MBIA, Inc.*, No. 601475/09, slip op. (N.Y. App. Div. Jan. 11, 2011). The Court is also in receipt of a response letter from Plaintiffs dated January 18, 2011, opposing the proposed motions on the basis that the New York Court of Appeals will shortly rule on the *ABN Amro Bank* case.

Due to the expected appeal of the First Department's decision in *ABN Amro Bank*, the discovery schedule in this case is HEREBY STAYED pending the decision of the Court of Appeals. The parties are HEREBY ORDERED to submit a joint letter no later than February 25, 2011, and every 30 days thereafter, regarding the status of the Court of Appeals decision.

SO ORDERED.

DATED: January 19, 2011  
New York, New York

  
RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE